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3 UNITED STATES DISTRICT COURT  
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
5 OAKLAND DIVISION  
6

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 vs.

10 EDDIE SHERMAN THOMAS,

11 Defendant.  
12

Case No: CR 06-0189 SBA

**ORDER**

Docket 467

13  
14 On September 11, 2008, Defendant Eddie Sherman Thomas (“Thomas”) pled guilty to a  
15 violation of 21 U.S.C. § 843(b)—Use of a Communications Facility (Telephone) to  
16 Commit/Facilitate Narcotics Trafficking. Docket 449. He was committed to the Bureau of  
17 Prisons for a term of 48 months, to be followed by a one-year term of supervised release. Id.

18 On May 17, 2010, Thomas filed a Motion for Return of Property. Docket 467.  
19 Specifically, he seeks the return of \$50,740, which was seized from his home by the Contra  
20 Costa County Sheriff’s Department, pursuant to a search warrant. Upon review the motion, the  
21 Court ordered the Government to file a response.

22 On June 4, 2010, the Government timely filed a statement of non-opposition to Thomas’  
23 motion. In its response, the Government states that it “is in the process of making  
24 arrangements to return the subject funds to Thomas.” Docket 474 at 2. Since it appears that  
25 there is no longer is any dispute as to Thomas’ right to recover his property, the instant motion  
26 is moot. Accordingly,


27 IT IS HEREBY ORDERED THAT Defendant’s Motion for Return of Property is  
28 DENIED as moot. If the Government does not return Defendant’s funds within 45 days of the

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1 date this Order is filed, Defendant may renew his motion with the Court. This Order  
2 terminates Docket 467.

3 IT IS SO ORDERED.

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5 Dated: June 10, 2010

  
6 SAUNDRA BROWN ARMSTRONG  
7 United States District Judge  
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UNITED STATES DISTRICT COURT

1 FOR THE  
2 NORTHERN DISTRICT OF CALIFORNIA

3 USA et al,

4 Plaintiff,

5 v.

6 MICHAEL GREEN JOHNSON et al,

7 Defendant.  
8 \_\_\_\_\_/

9 Case Number: CR06-00189 SBA

10 **CERTIFICATE OF SERVICE**

11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
12 Court, Northern District of California.

13 That on June 11, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said  
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing  
15 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle  
16 located in the Clerk's office.

17 Eddie Sherman Thomas  
18 FCI Butner Med I  
19 P.O. Box 1000  
Butner, NC 27509

20 Dated: June 11, 2010

21 Richard W. Wieking, Clerk

22 By: LISA R CLARK, Deputy Clerk  
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